(a) whether Government would consider to bring about reforms in appointment of Judges, extending the working hours and to check the increasing number of pending cases;

(b) whether Government would increase the present salary and facilities of Judges;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) There is no proposal at present to change the present system of appointment of Judges in higher judiciary. Working hours of the courts are governed by Rules which are administered by the respective Courts. Government has, however, after review of judges strength in 2006, 2007 and 2008, approved increase in number of Judges by 163 in various High Courts. The Government also proposes to increase the number of Judges in the Supreme Court by 5 for which the Supreme Court (Number of Judges) Amendment Bill 2008 has already been introduced in the Lok Sabha.

(b) to (d) The Government has proposed a revision in the salaries, allowances, etc. of the Judges of the Supreme Court and High Courts and for improvements in the retiral benefits to retired Judges. Necessary Government orders will issue after effecting amendments in the relevant legislation.

Appointment of judges to higher judiciary

1462.PROF. ALKA BALRAM KSHATRIYA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the present procedure of appointment of Judges to High Courts and Supreme Court needs radical changes;

(b) if so, the facts and details thereof;

(c) whether Government proposes to set up a National Judicial Commission to make appointments and to deal with errant Judges; and

(d) if so, the facts and details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (d) Suggestions have been received from various quarters to make changes in the present procedure for appointment of Judges in the higher judiciary.

The Government had introduced the Judges (Inquiry) Bill, 2006 in the Parliament to, *inter-alia*, set up a National Judicial Council to examine the complaints against the Judges for misbehaviour and incapacity and also to draw up a code of conduct. The said Bill was examined by the Department Related Parliamentary Standing Committee and its Report was examined in the Department. It has now been decided to withdraw this Bill of 2006 and introduce another Bill titled The Judges (Inquiry) Amendment Bill, 2008.

Appointment of Judges

1463.SHRI GIREESH KUMAR SANGHI:
SHRIMATI SUPRIYA SULE:
DR. T. SUBBARAMI REDDY:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Ministry's proposal that old scheme of appointing Judges by the Executive authority has been opposed by the Bar Associations and also the Judiciary;

(b) whether the Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice has suggested that appointment of higher judiciary should be made transparent, so as to ensure that only deserving candidates make it to the Bench;

(c) whether the Committee has also recommended that in order to bring down arrears of cases, the number of Judges in the Supreme Court be raised to 31, instead of 26 at present; and

(d) whether any final decision has been taken in this regard?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) No, Sir.

(b) Yes, Sir.

(c) Yes, Sir.

(d) The Supreme Court (Number of Judges) Amendment Bill 2008, which seeks to increase the number of Supreme Court Judges from 26 to 31, is pending for consideration in the Lok Sabha.

Laws related to rape cases

1464. SHRI GIREESH KUMAR SANGHI:
SHRIMATI SUPRIYA SULE:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether, in the month of October, a High Court urged Government to frame laws that heal scars of rape;

(b) if so, whether number of rape cases that had gone to various High Courts, have impressed upon the Government that there should be stringent laws to deal with the rape cases, so that such cases are checked; and

(c) whether a large number of Judges has suggested that steps should be taken by legislation to rehabilitate rape victims?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (c) No information regarding observation of any High Court on framing laws that deal with healing the scars of rape or impressing upon Government that there should be stringent laws to deal with rape has been communicated to Government. The Government has introduced the Code of Criminal Procedure (Amendment) Bill, 2006 which *inter-alia* contains a proposal regarding, payment of compensation and rehabilitation of victims, including victims of rape.

Coverage of Supreme Court and High Court under RTI Act

1465. SHRI DARA SINGH:
SHRI RAMDAS AGARWAL:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Ministry has opined that the Right to Information Act (RTI) does not cover the Supreme Court and High Court Judges, whereas the Act itself does not exempt such constitutional bodies;